

**Notice of Allowability**

Application No.

09/386,339

Examiner

Susanna M. Diaz

Applicant(s)

KATSURABAYASHI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Examiner's Amendment agreed to on January 18, 2007.
2. ☒ The allowed claim(s) is/are 1-4,8,9,12-25 and 28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Susanna M. Diaz*  
**SUSANNA M. DIAZ**  
**PRIMARY EXAMINER**

*AU 3694*

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Linda Saltiel (Reg. No. 51,122) on January 18, 2007.

The application has been amended as follows:

Claims 5-7, 10, 11, 26, and 27 have been cancelled.

Claims 1 and 25 have been amended as follows:

1. (Currently Amended) A computer executing an optimum operator selection support system, comprising:

a document computer executable management part that manages a plurality of documents stored by the computer related to a plurality of jobs, with additional information on a plurality of operators who generated the plurality of documents;

a document feature computer executable extraction part that extracts operator-specific documents generated by one of the plurality of operators from the document computer executable management part, and extracts a plurality of features of the operator-specific documents for the one of the plurality of operators; and

a job feature computer executable extraction part that extracts job features from the plurality of features by detecting common features based on a frequency of occurrence of terms in the operator-specific documents extracted by the document feature computer executable extraction part, wherein the document computer executable management part identifies an operator as the optimum operator for an assigned task based on the job features;

a job structure computer executable generation part that generates a structure representing roles of the plurality of operators related to a job, wherein the job structure computer executable generation part generates an association diagram showing the job based on roles in the job, and describes the roles of the plurality of operators and features extracted from generated documents in the association diagram.

25. (Currently Amended) A computer-readable recording medium containing an optimum operator selection support program, the program causing a computer to function as:

a document computer executable management part that manages a plurality of documents related to a plurality of jobs, with additional information on a plurality of operators who generated the plurality of documents;

a document feature computer executable extraction part that extracts operator-specific documents generated by one of the plurality of operators from the document computer executable management part, and extracts a plurality of features of the operator-specific documents for the one of the plurality of operators; and

a job feature computer executable extraction part that extracts job features from the plurality of features by detecting common features based on a frequency of occurrence of terms in the operator-specific documents extracted by the document feature computer executable extraction part, wherein the document computer executable management part identifies an operator as the optimum operator for an assigned task based on the job features;

a job structure computer executable generation part that generates a structure representing roles of the plurality of operators related to a job, wherein the job structure computer executable generation part generates an association diagram showing the job based on roles in the job, and describes the roles of the plurality of operators and features extracted from generated documents in the association diagram.

***Allowable Subject Matter***

2. Claims 1-4, 8, 9, 12-25, and 28 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Gilmour et al. (U.S. Patent No. 6,115,709) in view of Miloslavsky (U.S. Patent No. 6,021,428).

Gilmour constructs a knowledge profile corresponding to each of several users based on the content of documents authored by each of the users. This knowledge

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profile is used to determine to whom to target e-mail regarding particular topics.

Gilmour does not expressly teach that the knowledge profiles are used to identify an optimum operator for an assigned task; however, Miloslavsky discloses the concept of assigning calls or e-mails to different call center agents based on each agent's respective specialty or expertise in relation to the needs of the customers from which the calls and/or e-mails originate. Neither Gilmour nor Miloslavsky discloses or suggests that jobs (or tasks) are assigned to an optimum operator by generating a structure representing roles of the plurality of operators related to a job, wherein the job structure computer executable generation part generates an association diagram showing the job based on roles in the job and describes the roles of the plurality of operators and features extracted from generated documents in the association diagram. This combination of features is recited in claims 1-4, 8, 9, 12-25, and 28; therefore, claims 1-4, 8, 9, 12-25, and 28 are deemed to be allowable over the prior art of record.

It should be noted that the word "part" (recited in the claims) is interpreted as a structural element that performs the corresponding functionality (e.g., the corresponding functionality recited in the claims). This interpretation is consistent with the specification and the claims as originally filed. For example, page 10 of the specification as well as original claim 1 define the "parts" as components of the system (i.e., the system comprises the parts). Also, original claim 25 recites that the computer-executable program causes the computer to *function* as the various parts. It would be awkward and less reasonable to infer that the computer program causes the computer itself to *function* as the program itself (as opposed to the computer program causing the

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computer to execute recited steps); therefore, again, a consistent interpretation of "parts" would more reasonably lend itself to equate "parts" to structural elements that perform the corresponding functionality.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Susanna M. Diaz  
Primary Examiner  
Art Unit 3694

January 18, 2007